

**DECLARATION OF DR. SAMIRA ASGARI**

I, Dr. Samira Asgari, state and affirm the following:

1. I am an Iranian-born scientist and medical researcher. I hold a doctorate degree from the École Polytechnique Fédérale de Lausanne (EPFL) in Switzerland. I am an expert in genomics, infectious diseases, and computational biology. My research focuses on state-of-the-art sequencing technologies that allow me to find the variants that confer susceptibility to infections. During my stay at EPFL I have been working mostly on pediatric infections. I am particularly interested in understanding the role of human genomic variations on susceptibility to infections and the progression of infectious disorders. In addition to other grants and awards, I was proud to receive the Swiss National Science Foundation Early Postdoc Mobility Grant in October of 2016 and to be a finalist for the ASHG/Charles J. Epstein Trainee Award for Excellence in Human Genetics Research in October of 2015.
2. Dr. Soumya Raychaudhuri, a scientist and physician at Brigham and Women's Hospital, runs one of the world's most respected human genomics laboratories. Dr. Raychaudhuri is widely renowned for, among other works, his attempts to elucidate the role of human genetic variation in tuberculosis progression.
3. I was honored, therefore, when Dr. Raychaudhuri recruited me to join his laboratory for post-doctoral training on a project in line with my doctoral training and with particular focus on tuberculosis progression. My work in the laboratory will be to further explore the role of human genetic variations, using genomics approaches, as it relates to tuberculosis. This research will further our collective understanding of basic biology and translational medicine, and it will lead to the development of safer and more effective drugs for the treatment of tuberculosis.
4. I was particularly excited to have the opportunity to perform this research in the Boston area. Not only is Dr. Raychaudhuri's laboratory affiliated with Harvard Medical School, giving me access to the world's foremost researchers and clinicians, but also Boston is a cultural hub in which I was eager to become immersed.
5. On November 30, 2016, after learning that I would have the opportunity to come to Boston to work with Dr. Raychaudhuri and to conduct my research, I applied for a J-1 visa. I quit my job working in a genomics laboratory in Lausanne, Switzerland and arranged to lease my apartment. On January 25, 2017, I was thrilled to receive confirmation from the United States Embassy in Switzerland that my visa application had been approved. My visa was issued two days later on January 27, 2017. A true and accurate reproduction of the identifying page of my passport and the enclosed visa is attached hereto as **Exhibit A**.
6. I promptly made arrangements to fly to Boston. I booked a ticket for Saturday, January 28, 2017 to fly from Zurich, Switzerland to Boston, via Frankfurt, Germany, aboard Lufthansa Air Lines ("Lufthansa").

7. On the morning of Saturday, January 28, I completed the first leg of my voyage from Zurich to Frankfurt without incident. However, when I arrived at the gate to board the flight from Frankfurt to Boston, I was turned away. A person in front of the Lufthansa gate, who introduced himself as a consulate of the United States of America in Frankfurt, told me that I was ineligible to board a flight to the United States because of an executive order issued by the President of the United States on January 27, 2017, entitled “Protection of the Nation From Foreign Terrorist Entry Into the United States.”
8. I was heartbroken because I was so eager to go to Boston to continue my research.
9. I returned to Zurich and sought the assistance of an attorney in the United States. Through a mutual contact, I was put in touch with Attorney Noah Kaufman of the law firm of Morgan, Lewis & Bockius LLP.
10. From Attorney Kaufman, I learned that in the matter of *Tootkaboni v. Trump*, a case pending in the United States District Court for the District of Massachusetts, the Honorable Allison D. Burroughs and the Honorable Judith Gail Dein issued a Temporary Restraining Order (the “Order”) that granted relief from the President’s executive order to individuals like me, who hold valid visas for entry into the United States.
11. In reliance on the Order, on Monday, January 30, 2017, I booked another flight to the United States. My flight, Swiss International Air Lines (“SWISS”) Number LX52, was scheduled to depart from Zurich at 5:25 p.m. local time on Tuesday, January 31, 2017, and arrive in Boston at approximately 8:00 p.m. A true and accurate reproduction of my ticket purchase confirmation and boarding pass is attached hereto as **Exhibit B**.
12. On the morning of Tuesday, January 31, 2017, I was in the process of getting to the airport in Zurich when I received a telephone call from a representative at SWISS who informed me that I would not be permitted to board Flight LX52.
13. I remained hopeful that I would be permitted to board the flight and I continued to the airport. Once I arrived, I cleared security and checked my bags.
14. When I arrived at the gate, I was met by a SWISS customer service representative who identified herself as Sibylle Port. Ms. Port told me that SWISS had been directed by Customs and Border Protection that I should not be permitted to board the flight to Boston. I showed Ms. Port a copy of the Order, but she responded that SWISS was obligated to comply with the express directive of Customs and Border Protection that I was not to board the flight. At my request, Ms. Port spoke directly to Attorney Kaufman, but Ms. Port remained adamant that I would not be allowed onboard as a result of the Customs and Border Protection directive.
15. I observed that Ms. Port had a printed copy of the directive from Customs and Border Protection. I was able to take a picture of the directive using my cellphone and I promptly sent the picture to Attorney Kaufman. I am informed and believe that Attorney

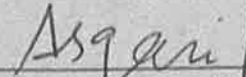
Kaufman has a copy of the photograph and can produce it to the Court upon request. I also have an original copy of the Customs and Border Protection directive in my possession.

16. My luggage was removed from the airplane and the flight departed without me.

*[Signature page follows]*

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 31, 2017,

  
\_\_\_\_\_  
Dr. Samira Asgari

## **Exhibit B**

# Ticket Travel Itinerary

## Passenger

ASGARI/SAMIRAMS

## Flight 1

Flight

LX52

From

Zurich (ZRH)

Zurich

To

Boston (BOS)

Logan Intl Arpt

Departure date

31 January 2017

Departure time

17:25

Latest check-in

16:45

Arrival date

31 January 2017

Arrival time

20:05

Check-in baggage

1 piece, up to 50lb / 23kg  
max size up to 62li / 158lcm  
(width + depth + height)

Hand baggage

1 piece up to 18lb / 8kg ,  
max size up to 46li / 118lcm  
(width + depth + height)

Travel class

Economy (V)

Booking / Ticket Status

Confirmed / Airport control

Flight operated by

Swiss International Air Lines

On behalf of

Not valid before

31 January

Not valid after

31 January

All times are local times

## SWISS Choice / other services

Second Bag

## Service center

Calling from Switzerland

0848 700 700

Calling from Zurich

+41 (0) 848 700 700

## Document

Reservation number

24TBRL

Ticket number

7242304372371

Issued

30/1/2017

Issuer

SWISS.COM

Issue place

SWITZERLAND

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## Flight 2

Flight

LX53

From

Boston (BOS)

Logan Intl Arpt

To

Zurich (ZRH)

Zurich

Departure date

07 February 2017

Departure time

21:45

Terminal

E

Latest check-in

20:30

Arrival date

08 February 2017

Arrival time

11:00

You arrive on the next day

Check-in baggage

1 piece, up to 50lb / 23kg  
max size up to 62li / 158lcm  
(width + depth + height)

Hand baggage

1 piece up to 18lb / 8kg ,  
max size up to 46li / 118lcm  
(width + depth + height)

Travel class

Economy (K)

Booking / Ticket Status

Confirmed / Open for Use

Flight operated by

Swiss International Air Lines

On behalf of

Not valid before

07 February

Not valid after

07 February

All times are local times

## SWISS Choice / other services

# Receipt

## Passenger

ASGARI/SAMIRAMS

## Service center

Calling from Switzerland	0848 700 700
Calling from Zurich	+41 (0) 848 700 700

## Document

Reservation number	24TBRL
Ticket number	7242304372371
Issued	30/1/2017
Issuer	SWISS.COM
Issue place	SWITZERLAND
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## Fare details

Item	CHF
Fare	302.00
Taxes International Surcharge (YQ)	356.00
Airport Passenger Security & Noise Charge (CH)	35.00
Customs User Fee (YC)	5.50
Transportation Tax (US)	18.00
Transportation Tax (US)	18.00
Aphis Passenger Fee (XA)	4.00
Immigration User Fee (XY)	7.00
Passenger Civil Aviation Security Fee (AY)	6.00
Passenger Facility Charge (XF)	4.50
Charges Fees*	43.00
Grand total	799.00

\* The amount includes fees such as e.g. service fee, OPC, etc. For details please contact your nearest SWISS Service Center.

## Form of payment

Ticket/Fees: Credit Card Master Card	CA	799.00
	XXXXXXXXXXXX3499	

## Endorsement/restrictions

NONREF/FL/CHG RESTRICTED CHECK FARE NOTE -BG LX

# Baggage provisions

## Passenger

ASGARI/SAMIRAMS

## Service center

Calling from Switzerland 0848 700 700  
Calling from Zurich +41 (0) 848 700 700

## Document

Reservation number 24TBRL  
Ticket number 7242304372371  
Issued 30/1/2017  
Issuer SWISS.COM  
Issue place SWITZERLAND  
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### 1 Zurich (ZRH) → Boston (BOS)

Flight LX52

Economy (V)

	Quantity	Price	Weight	Size
Carry-on baggage	1 piece	n/a	up to 18lb / 8kg	up to 46li / 118lcm
Baggage allowance	1 piece	n/a	up to 50lb / 23kg	up to 62li / 158lcm
2nd baggage charge	1 piece	CHF 90.00	up to 50lb / 23kg	up to 62li / 158lcm
Prepaid 2nd baggage charge	1 piece	CHF 75.00	up to 50lb / 23kg	up to 62li / 158lcm

### 2 Boston (BOS) → Zurich (ZRH)

Flight LX53

Economy (K)

	Quantity	Price	Weight	Size
Carry-on baggage	1 piece	n/a	up to 18lb / 8kg	up to 46li / 118lcm
Baggage allowance	1 piece	n/a	up to 50lb / 23kg	up to 62li / 158lcm
2nd baggage charge	1 piece	CHF 90.00	up to 50lb / 23kg	up to 62li / 158lcm
Prepaid 2nd baggage charge	1 piece	CHF 75.00	up to 50lb / 23kg	up to 62li / 158lcm

## General baggage provisions

Customer status	Destination	SWISS First	SWISS Business	SWISS Economy***
HON, SEN*, Star Gold**	to / from / via US / CA	+ 1 piece up to 32 kg	+ 1 piece up to 32 kg	+ 1 piece up to 23 kg
	worldwide (except to /from/via US/CA)	+ 1 piece up to 32 kg + 1 set of golf equipment	+ 1 piece up to 32 kg + 1 set of golf equipment	+ 1 piece up to 23 kg + 1 set of golf equipment
Frequent traveller*	worldwide	General allowance	General allowance	+ 1 piece up to 23 kg
Miles & More members	worldwide	no additional baggage allowance	no additional baggage allowance	no additional baggage allowance
SWISS Golf Traveller*	worldwide	+ 1 set of golf equipment	+ 1 set of golf equipment	+ 1 set of golf equipment

Members of other frequent flyer programme should contact the relevant operator

\* Applies to flights operated by SWISS, Lufthansa and Edelweiss Air

\*\* Applies to flights operated by Star Alliance member airlines

\*\*\* For SWISS Light fares no additional baggage allowance applies



# Important information

## Passenger

ASGARI/SAMIRAMS

## General information

All times noted are local times. Please keep this receipt with you throughout your journey. Your ticket is stored in our reservations system. As with all airline tickets your ticket is not transferable to others.

## Dangerous goods

No dangerous goods are allowed in either checked baggage or carry-on baggage. More information on [swiss.com/dangerousgoods](http://swiss.com/dangerousgoods)

## Bringing liquids on board

In compliance with international security regulations, any liquid items (including gels, pastes and similar) which are carried into the aircraft cabin must be packed in individual containers with a capacity of not more than 100 ml (1 dl).

## Air passenger rights

If you are denied boarding or if your flight is cancelled or delayed for at least two hours, ask at the check-in counter or boarding gate for the text stating your rights, particularly with regard to compensation and assistance. Regulation (EC) no. 261/2004.

## Air transportation notice

For liability issues and other transport conditions, please refer to the SWISS general conditions of carriage available at any Swiss International Air Lines sales office, or on [swiss.com](http://swiss.com).

## Service center

Calling from Switzerland	0848 700 700
Calling from Zurich	+41 (0) 848 700 700

## Document

Reservation number	24TBRL
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Issue place	SWITZERLAND
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## Important notice

The contract of carriage between you and SWISS is governed by applicable law and by our Conditions of Carriage, which you can consult on our [swiss.com](http://swiss.com) website. Please note that, in accordance with Article 3.3 of our Conditions of Carriage, this fare is only valid if the flights are taken in the booked sequence. Otherwise the fare will be recalculated based on the actual flight routing.

The liability of SWISS or other carriers is subject to the Montreal/Warsaw Convention and/or EC Regulation 2027/97. In the event of death or bodily injury, SWISS has waived the liability limits imposed by the Warsaw Convention, and has waived the defence that it has taken all necessary measures to avoid damage up to a liability of 113,100 special drawing rights (SDR) per passenger. In the event of death or bodily injury, SWISS will make an advance payment in accordance with EU law.

Additional baggage fees may apply.

The authorities of certain countries may require us to transfer specific travel data to them relating to your journey, for security and immigration purposes. You authorise us to transfer, for these purposes, so-called passenger name record (PNR) data such as your name, date of birth, home address, contact phone numbers, information on your travel partner, date of reservation, ticket issuance, payment information, travel itinerary, frequent flyer number, information concerning your baggage and/or changes to the PNR. You are aware that such data could be transferred to countries whose data protection provisions are not as strict as those provided under Swiss law.

## More information online

Easy check-in by internet  
[swiss.com/webcheckin](http://swiss.com/webcheckin)

Latest check-in time for your airport  
[swiss.com/ch/en/prepare/check-in/checkin-times](http://swiss.com/ch/en/prepare/check-in/checkin-times)

For complaints and compliments  
[swiss.com / customerservice](http://swiss.com/customerservice)

Your contact for further inquiries  
[swiss.com / contacts](http://swiss.com/contacts)

SWISS wishes you a pleasant flight.

# Boarding pass



Passenger name: ASGARI/SAMIRAMS

E-ticket number: 724 2304 372 371-1

Y

Frequent flyer number:

Check-in sequence: 37



From Zurich (ZRH) to Boston (BOS)

Flight LX52

Date	Departure	Booking class	Gate	Boarding time	Seat
31 January, 2017	17:25	Economy Class (V)	N/A	16:25	39K

Please be at the departure gate at the boarding time stated. Otherwise, your seat may be re-assigned.

## Baggage allowance

Baggage type	Quantity / Weight	Size
 Free checked baggage for flights operated by SWISS.	See E-Ticket terms and conditions for detailed baggage allowance. Additional baggage allowance may apply for Frequent Flyers or if purchased separately.	
 Carry-on baggage for flights operated by SWISS	max. 1 x 8 kg	An item of baggage must not exceed 55 x 40 x 23 cm

## Travel information

### Baggage drop-off



Please report with your baggage to

**the Baggage drop-off counter at Check-in 3 if arriving by train, otherwise to the Baggage drop-off counter in Check-in 1.**

If you are travelling with hand baggage only, you may proceed directly to your departure gate.

Kindly consult our website for the latest check-in times of your departure airport: [swiss.com/latest\\_checkin](http://swiss.com/latest_checkin).

### Dangerous goods

No dangerous goods are allowed in either checked baggage or carry-on-baggage. For detailed information check [swiss.com/dangerousgoods](http://swiss.com/dangerousgoods).

### Bringing liquids on board

In compliance with international security regulations, any liquid items (including gels, pastes and similar) which are carried into the aircraft cabin must be packed in individual containers with a capacity of **not** more than 100 ml (1 dl).

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